

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)**

**JOHN DOE 2, by and through his Father and Next Friend, JOHN DOE 1,**

**Plaintiff,**

**v.**

**THE FAIRFAX COUNTY SCHOOL BOARD,**

**Defendant.**

**Civil Action No. 1:18-cv-00846**

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**MOTION TO WITHDRAW AS COUNSEL**

Attorneys Jesse Binnall, Paris Sorrell, Louise Gitcheva<sup>1</sup>, and Lindsay McKasson, who was admitted pro hoc vice, move this Court, pursuant to Local Rule 83.1(G), to withdraw as counsel of record for the plaintiff and to allow the plaintiff thirty (30) days to obtain new counsel.

As grounds for this motion, withdrawing counsel state as follows:

1. On January 17, 2019, the plaintiff (a) discharged Harvey & Binnall as his counsel, and (b) instructed Mr. Binnall to ask this Court for a period of thirty days to select new counsel but to do nothing else in this case.

2. Specifically, the plaintiff directed that a thirty day “extension” be sought to allow him to obtain new counsel, without identifying which deadlines

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<sup>1</sup> Ms. Gitcheva previously left Harvey & Binnall and now practices law elsewhere.

he wants postponed. Currently the Court has set the trial for April 8, with argument on summary judgment motions set for March 15. As a result, summary judgment motions are due by February 22, 2019. Additionally, the plaintiff's brief addressing the preclusive effects, if any, of the decision by the Circuit Court of Fairfax County is due on January 18, 2019. In accordance with their understanding of the plaintiff's instructions, withdrawing counsel ask that all of these dates be postponed by thirty days.

3. The plaintiff has also failed substantially to fulfill his obligation concerning payment for withdrawing counsel's services; remaining as his counsel would result in an unreasonable financial burden on them.

4. A copy of this motion has been served by electronic and U.S. mail on the plaintiff, John Doe 2, and the minor child on whose behalf this suit was brought, John Doe 1. Due to confidentiality concerns, the pertinent addresses have been omitted from the certificate of service.

Accordingly, the withdrawing attorneys respectfully request that this motion be granted.

Dated: January 17, 2019

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By: /s/ Jesse R. Binnall  
Jesse R. Binnall, VSB #79292  
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*Withdrawing Counsel for the Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 17, 2019, I filed the foregoing using the Clerk's CM/ECF system, which will provide notice to all counsel of record. I further certify that on January 17, 2019, I served a copy of the foregoing by electronic and U.S. mail on John Doe 1 and John Doe 2.

By:     /s/ Jesse R. Binnall      
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*Withdrawing Counsel for Plaintiff*